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Evaluation of the use of additional meeting time by the human rights treaty bodies

Note by the Secretary-General

The Secretary-General hereby transmits to the General Assembly a report prepared by the Office of the United Nations High Commissioner for Human Rights pursuant to Assembly resolutions 63/243 and 63/244 and containing an evaluation of the use of additional meeting time by the human rights treaty bodies, taking into account a more comprehensive approach to the backlog of treaty bodies and the increasing number of reports of States parties to the human rights conventions.

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Report prepared by the Office of the United Nations High Commissioner for Human Rights containing an evaluation of the use of additional meeting time by the human rights treaty bodies, taking into account a more comprehensive approach to the backlog of treaty bodies and the increasing number of reports of States parties to the human rights conventions

Summary

The present report is submitted pursuant to General Assembly resolutions 63/243 and 63/244, by which the Assembly decided to assess the situation regarding the meeting time of the Committee on the Elimination of Racial Discrimination and the Committee on the Rights of the Child at its sixty-fifth session on the basis of an evaluation made by the Office of the United Nations High Commissioner for Human Rights, taking into account a more comprehensive approach to the backlog of human rights treaty bodies and the increasing number of reports of States parties to the human rights conventions (resolution 63/243, para. 14, and resolution 63/244, para. 3). The report provides information on the utilization by both Committees of the additional meeting time approved, and places their efforts in the context of the increasing workload faced by the human rights treaty body system as a whole.

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I. Introduction

1. In its resolutions 63/243 and 63/244, the General Assembly, in view of the backlog of reports of States parties awaiting consideration under the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention on the Rights of the Child, respectively, authorized additional meeting time for the Committee on the Elimination of Racial Discrimination and the Committee on the Rights of the Child (see sect. II below). The General Assembly decided to assess the situation regarding the meeting time of the two Committees at its sixty-fifth session on the basis of an evaluation made by the Office of the United Nations High Commissioner for Human Rights (OHCHR), taking into account a more comprehensive approach to the backlog of human rights treaty bodies and the increasing number of reports of States parties to the human rights conventions.

2. In response to those requests by the General Assembly, an evaluation of the use of the approved additional meeting time by the Committee on the Elimination of Racial Discrimination and the Committee on the Rights of the Child was made by OHCHR, within the context of the increasing workload faced by the human rights treaty body system as a whole. The evaluation is presented to the General Assembly for its consideration in the present report.

II. Additional meeting time granted to the Committee on the Elimination of Racial Discrimination and the Committee on the Rights of the Child by resolutions 63/243 and 63/244

A. Committee on the Elimination of Racial Discrimination

3. At its seventy-third session, held from 28 July to 15 August 2008, the Committee on the Elimination of Racial Discrimination expressed concern at the persisting backlog of reports awaiting consideration. In the light of the fact that its total annual meeting time was limited to six weeks, the Committee felt constrained in its efforts to consider the periodic reports of State parties in a timely manner. Consequently, the Committee requested the General Assembly to approve one additional week of meeting time per session as of 2010.[1]

4. The request was favourably received by the General Assembly, which, by its resolution 63/243, authorized the Committee to meet for one additional week per session, with effect from August 2009, until 2011. Accordingly, since its seventy-fifth session, held in August 2009, the Committee has met for four weeks during each of its two annual sessions.

5. Previously, during its normal three-week sessions, the Committee had considered an average of 8 State party reports per session, or 16 reports per year. The additional meeting time granted to the Committee since August 2009 has enabled it to consider State party reports at a rate of 11 per session, or 22 per year. Eleven States parties are thus scheduled for consideration during the Committee's seventy-seventh session (which was under way at the time of reporting) and during its seventy-eighth session, scheduled for early 2011.

[1] A/63/18, para. 558.

6. The additional meeting time has allowed the Committee to reduce the backlog of reports pending consideration. At the time of the adoption of resolution 63/243 (December 2008), the Committee was facing a backlog of 29 reports. As at 5 August 2010, 21 State party reports were pending consideration and scheduled for 2011. However, if the Committee continues to receive 18 reports and to examine 16 reports on average per year, a backlog will begin to accumulate again immediately.

7. The Committee faces a heavier workload in part because of the success of its efforts to engage with non-reporting States parties. Currently, 48 States parties are at least 5 years late in the submission of their reports, and the reports of 23 of them are overdue by at least 10 years. At its seventy-fifth and seventy-sixth sessions, the Committee decided to postpone the review of the implementation of the Convention in the six countries with extremely overdue reports selected for review at those sessions, in the light of commitments received from them to finalize their reports in the near future. Of those six States parties, four had submitted their reports by 5 August 2010.

B. Committee on the Rights of the Child

8. The persistent backlog of State party reports pending consideration has been among the principal challenges faced by the Committee on the Rights of the Child in recent years. Despite efforts to consider more reports per session, the backlog has continued to increase, owing in particular to the large number of initial reports under the two Optional Protocols to the Convention, on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography. States parties must submit one separate initial report under the Optional Protocols, and thereafter incorporate information on the implementation of the Protocols in their periodic reports under the Convention on the Rights of the Child. The surge in the workload in recent years is therefore expected to be temporary. However, although the surge will eventually subside, the large number of States parties to the Convention (193) and the high level of advocacy undertaken in connection with the Convention mean that the Committee will have a consistently heavy workload.

9. By its decision of 6 June 2008,[2] the Committee on the Rights of the Child requested the General Assembly to authorize it to meet for an additional 12 weeks (8 additional weeks of sessional meetings and 4 weeks of pre-sessional working group meetings), between October 2009 and January 2011.

10. By its resolution 63/244, the General Assembly granted the request for additional meeting time to allow the Committee to consider reports in two parallel chambers for 10 working days of each of its three regular sessions and the five working days of each of its three pre-sessional working group meetings between October 2009 and October 2010, for the purposes of considering the reports of the States parties submitted under the two Optional Protocols.

11. The General Assembly had previously granted a similar request in its resolution 59/261, in which it had welcomed the proposal of the Committee to work in two chambers, as an exceptional and temporary measure, for a period of two years, starting with its thirty-eighth session in January 2005, in order to clear the

[2] A/63/160, annex.

backlog of reports.[3] At the request of the General Assembly, the Committee provided an assessment of progress made after those two years, taking into account the wider context of treaty body reform, in an oral statement made by its Chair to the Third Committee of the General Assembly at its sixty-first session.

12. In his statement, made on 12 October 2006, the Chair highlighted the fact that the Committee had been able to consider a total of 48 reports during its three sessions held in two chambers in 2006, compared with 27 reports in 2005. The Committee had thus been able to reduce the backlog from 58 to 24 reports. In his statement, the Chair also drew attention to the fact that the processing of documents had proved to be a challenge, as the document services had been overwhelmed with the additional documents that had had to be processed for the sessions during which the Committee had convened in two chambers. He pointed out that the issue was a serious one that required careful scrutiny and that, were the Committee to resume its work in two chambers, the relevant services would have to be adequately equipped to handle the increased workload (see A/C.3/61/SR.15).

13. In December 2008, when the General Assembly adopted resolution 63/244, the Committee was faced with a backlog of more than 80 reports, including initial reports under the two Optional Protocols. During the two sessions held thus far in parallel chambers pursuant to General Assembly resolution 63/244 (the fifty-third session, held in January 2010, and the fifty-fourth session, held in May 2010), the Committee considered a total of 34 reports, while another 18 reports are scheduled for consideration at its fifty-fifth session, to be held in September 2010. The Committee will thus have considered a total of 52 reports in parallel chambers (23 under the Convention, 14 under the Optional Protocol on the sale of children, child prostitution and child pornography and 15 under the Optional Protocol on the involvement of children in armed conflict) in 2010, compared with a total of 30 reports in 2009 (17 under the Convention, 6 under the Optional Protocol on the sale of children, child prostitution and child pornography and 7 under the Optional Protocol on the involvement of children in armed conflict).

14. As at 5 August 2010, aside from the 18 reports scheduled for consideration during the upcoming fifty-fifth session (13 September to 1 October 2010), a total of 82 State party reports were pending consideration (50 under the Convention, 17 under the Optional Protocol on the sale of children, child prostitution and child pornography and 15 under the Optional Protocol on the involvement of children in armed conflict). Of those, 37 had been scheduled for consideration at the fifty-sixth and fifty-seventh sessions (February and May 2011) (15 under the Convention, 12 under the Optional Protocol on the sale of children, child prostitution and child pornography and 10 under the Optional Protocol on the involvement of children in armed conflict). In view of the continued high rate of report submission, the additional time gained by meeting in two chambers can be said to have enabled the Committee to avoid a further increase in the backlog, rather than to achieve a reduction.

15. On the basis of the estimate that the Committee considers an average of 10 reports during a regular session, it would take approximately eight sessions (nearly three years) to consider the reports which are currently pending. If the Committee were to meet in two chambers, at an average of 18 reports per session, the

[3] The relevant decision of the Committee is included in its report to the fifty-ninth session of the General Assembly (A/59/41/Corr.1 and Add.1).

Committee would be able to consider the same number of reports in approximately four and a half sessions (one and a half years).

III. Increasing workload faced by the human rights treaty body system as a whole

16. The requests for additional meeting time for the Committee on the Elimination of Racial Discrimination and the Committee on the Rights of the Child reflect the general trend of an increasing workload in keeping with the growing number of States parties to the eight core international human rights treaties with reporting obligations that are currently in force. The present section provides a brief overview of some of the challenges faced by other treaty bodies relating to their allotted meeting time. An overview of the current annual meeting time of each Committee is provided in the annex to the present report.

A. Committee on Economic, Social and Cultural Rights

17. In recent years, the Committee on Economic, Social and Cultural Rights has faced a persistent backlog of reports awaiting consideration (on average, approximately 25 reports). In 1999, the Economic and Social Council endorsed, through its decision 1999/287, the recommendation of the Committee that two extraordinary sessions and two week-long meetings of its pre-sessional working group be held. Convened in 2000 and 2001, the extraordinary sessions helped to substantially reduce the backlog then facing the Committee. However, given that about 12 reports are received on average each year, a backlog has since built up again, totalling 35 reports at present.

18. At its forty-first session, in November 2008, the Committee expressed concern about its ability to consider the reports of State parties in a timely manner and without undue delay. At its forty-second session, in May 2009, the Committee requested the Economic and Social Council to approve an additional session per year during the period 2010-2011.[4] As the request was not acted upon during the Council session held in July 2009, the Committee, at its forty-third session in November 2009, reiterated its request in the form of a draft decision to be adopted by the Council.[5] The request is for one additional session per year during the period 2011-2012, each followed by a pre-sessional working group of one week's duration.

B. Human Rights Committee

19. The Human Rights Committee monitors compliance with the International Covenant on Civil and Political Rights in three annual sessions of three weeks' duration each. The sessions are preceded by a one-week meeting of the Working Group on Communications, which examines complaints received under the first Optional Protocol to the Covenant. The Committee considers four or five State party reports per session, averaging 13 reports per year. In the period from August 2009 to July 2010, it received 11 reports and, as at July 2010, 24 State party reports were

[4] E/2009/22-E/C.12/2008/3, para. 559.

[5] E/2010/22-E/C.12/2009/3, para. 4.

pending consideration. To date, the Committee has not requested additional meeting time for the consideration of reports. In order to improve its effectiveness, the Committee adopted a new, optional reporting procedure whereby it would send States parties a tailored list of issues, the replies to which would serve as their reports ("list of issues prior to reporting"). The expectation is that the new procedure will help streamline the reporting process and focus it on the critical issues for individual State parties. The Committee will begin implementing the new procedure in November 2010.

20. With respect to its work under the Optional Protocol, the Committee faces a constantly growing caseload. During recent years, the backlog of pending communications has grown steadily, rising from 222 from year-end 2001 to 398 in August 2010. On one occasion, in order to address its backlog of pending cases, the Committee requested additional meeting time. At its 2194th meeting, held on 2 April 2004, the Committee changed the week-long meeting of its Working Group on Communications of the eighty-first session into a week of plenary meetings; held from 5 to 9 July 2004, to consider and adopt views.[6]

C. Committee on the Elimination of Discrimination against Women

21. Article 20, paragraph 1, of the Convention on the Elimination of All Forms of Discrimination against Women specifies that the Committee on the Elimination of Discrimination against Women "shall normally meet for a period of not more than two weeks annually in order to consider the reports submitted in accordance with article 18 of the present Convention". In 1995, the General Assembly took note of the increasing workload of the Committee and adopted resolution 50/202, in which it took note with approval of a proposed amendment to article 20, paragraph 1, of the Convention which would allow for more flexibility in ensuring adequate meeting time for the Committee to carry out its work.[7] As at 5 August 2010, only 57 States parties of the two-thirds majority of 124 needed for the amendment to enter into force had deposited with the Secretary-General their instruments of acceptance of the amendment.

22. In its decision 37/I, adopted in 2007, the Committee concluded that its workload, together with its other responsibilities under the Convention and those under the Optional Protocol to the Convention, made it necessary that the Committee be provided with the opportunity to hold three sessions per annum, of which at least one would meet in parallel chambers.[8]

23. In its resolution 62/218, the General Assembly strongly urged States parties to the Convention to take appropriate measures so that acceptance of the amendment to article 20, paragraph 1, of the Convention by the required two-thirds majority of States parties could be reached as soon as possible and the amendment could enter into force. Until such time, and in order to allow the Committee to clear its backlog,

[6] A/59/40 (vol. I), annex VI.

[7] The amendment would replace article 20, paragraph 1, with the following text: "The Committee shall normally meet annually in order to consider the reports submitted in accordance with article 18 of the present Convention. The duration of the meetings of the Committee shall be determined by a meeting of the States parties to the present Convention, subject to the approval of the General Assembly."

[8] A/62/38, part three, chap. I.

the General Assembly, in the same resolution, authorized the Committee to hold three annual sessions of three weeks each, with a one-week pre-sessional working group for each session, for an interim period effective from January 2010, pending the entry into force of the amendment.

24. Also by resolution 62/218, the General Assembly approved the request of the Committee relating to meeting time in the biennium 2008-2009. Additional meeting time had been granted by the General Assembly in its resolution 60/230 for the period 2006-2007. Thus, the Committee held 11 sessions of three weeks each during the period 2006-2009, each accompanied by a one-week pre-sessional working group. The Committee met in parallel chambers during 6 of those 11 sessions. The extended meeting time enabled it to consider 146 reports and to reduce the backlog of reports such that today, with the continued holding of three annual sessions, the Committee is largely able to consider reports at a pace consistent with the rate of submission. At present, 34 reports are awaiting consideration by the Committee. Of those, 26 have been scheduled for consideration in the period from October 2010 to July 2011.

25. In addition to reducing the backlog of reports awaiting review, the additional meeting time has allowed the Committee to monitor the implementation of the Convention in States parties with long-overdue reports. To that end, the Committee has requested 20 States parties with long-overdue initial reports to submit reports by a specific date. In the event that a report is not received by that deadline, the Committee will proceed to consider the implementation of the Convention in the State party concerned. As a result, seven States parties with long-overdue reports have submitted them, and four have informed the Secretariat that the reports are in the final drafting stage.

26. In its resolution 62/218, the General Assembly authorized the Committee to hold three annual sessions of the Working Group on Communications under the Optional Protocol to the Convention. Since its inception, the Working Group has held 17 sessions and registered 25 communications; the Committee has completed the proceedings related to 14 of those communications. The Committee also continued to implement its mandate under article 8 of the Optional Protocol. To date, the Committee has concluded one inquiry under this procedure (Mexico), while another is currently under way.

D. Committee against Torture

27. At its forty-first session, in November 2008, the Committee against Torture, which normally meets for two annual sessions of three weeks' duration each, requested the General Assembly to provide appropriate financial support to enable it to meet for an additional session of four weeks in 2010 and 2011 in order to ensure the effective implementation of the new, optional procedure of adopting a list of issues on the basis of which reports may be prepared ("list of issues prior to reporting"), which was introduced by the Committee in May 2007.[9] The request was not acted upon by the General Assembly.

28. At its forty-fourth session, held from 26 April to 14 May 2010, the Committee decided to renew its request to the General Assembly for additional meeting time. It requested one additional week of meeting time per session for 2011 and 2012.

[9] A/64/44, paras. 21 and 22.

29. Those requests were motivated by an increased workload resulting from the new procedure to offer a list of issues prior to reporting. Of the States parties that were due to submit reports in 2009 and are due to submit reports in 2010 and 2011, 38 decided to avail themselves of the new procedure, which is expected to improve compliance with reporting obligations, thus increasing the number of reports pending consideration, which currently stands at 23.

30. Under the individual complaints procedure, approximately 100 cases are pending examination by the Committee. At the present rate of 10 to 12 cases considered per session, the backlog would take five years to eliminate, not counting any new cases received in the meantime. It is estimated that the additional meeting time could allow the Committee to deal with up to 16 additional reports and 16 additional individual communications during the period 2011-2012.

E. Committee on the Rights of Migrant Workers

31. The Committee on the Rights of Migrant Workers has so far been able to keep up with the consideration of State party reports within its current meeting time of three weeks per year. The Committee considered five State party reports in 2009 and will consider a total of four reports in 2010. Seven reports are currently pending consideration, of which three are scheduled to be considered at the thirteenth session, in November 2010, and four are scheduled to be considered at the fourteenth and fifteenth sessions, to be held in 2011. The number of States parties to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families has been increasing steadily, albeit at a slow pace, and currently stands at 43. With the entry into force of the Convention for the forty-first State party on 1 November 2009, the membership of the Committee increased from 10 to 14, in accordance with article 72, paragraph 1 (b), of the Convention, effective as of January 2010.

F. Committee on the Rights of Persons with Disabilities

32. Following the entry into force of the Convention on the Rights of Persons with Disabilities for the eightieth State party on 2 February 2010 and in accordance with article 34, paragraph 2, of the Convention, the membership of the Committee on the Rights of Persons with Disabilities will increase from the current 12 to 18 members as at 1 January 2011. The Committee currently meets for two one-week sessions a year. As at 5 August 2010, three State party reports were before it and pending consideration. The Committee will consider the first report at its fourth session, in October 2010.

33. Because of the rapid pace of ratification, the growing number of reports due and the complaints and inquiries that accompany ratification, the Committee will require additional meeting time in the near future. Under the current meeting arrangements, if only half of the 76 initial State party reports that are due by the end of 2011 are submitted, the Committee will end the year with a substantial backlog of reports.

G. Committee on Enforced Disappearances

34. A tenth treaty body, namely, a Committee to monitor the implementation of the International Convention for the Protection of All Persons from Enforced Disappearance, is expected to be established in the near future, as the Convention needs only two additional ratifications to enter into force. In accordance with article 26 of the Convention, the Committee will be composed of 10 experts. In addition to monitoring the implementation of the Convention by examining State party reports, the Committee will receive individual communications under the procedure set out in article 31 of the Convention for those States that have accepted the competence of the Committee to do so, as well as requests for urgent action from relatives or legal representatives of disappeared persons.

H. Subcommittee on the Prevention of Torture

35. Following the ratification of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment by the fiftieth State party in September 2009, the number of the members of the Subcommittee on Prevention of Torture will increase from 10 to 25 in February 2011, pursuant to article 5 of the Optional Protocol. Unlike the other treaty bodies, the Subcommittee does not consider State party reports.

36. The current meeting time (three weeks per year) was deemed adequate for the initial stages of the work of the Subcommittee, during which it was concentrating on establishing its working methods and rules of procedure and was conducting inquiries with regard to a smaller number of States parties. However, three working weeks per year will not be sufficient for the Subcommittee to efficiently fulfil its mandate now that there are 50 States parties and given that the membership of the Subcommittee will expand to 25 in February 2011. A greater number of States parties implies a greater number of missions and a greater number of pre- and post-mission meetings of the Subcommittee with the States concerned. A greater number of missions will require the preparation of more mission reports, which in turn will require more meeting time for discussion and approval by the Subcommittee. In addition, an increase in the number of States parties implies more work with national preventive mechanisms, thus requiring additional meeting time. Owing to its limited budgetary resources, the Subcommittee has not yet been able to officially undertake visits to advise national preventive mechanisms, as mandated under article 11 (b) of the Optional Protocol.

IV. Conclusion

37. Requests for additional meeting time are symptomatic of the increasing workload faced by the human rights treaty body system as a whole. Resource requirements to enable the human rights treaty bodies to effectively carry out their mandates are increasing as a consequence of the continued establishment of new human rights treaty bodies and the increasing numbers of ratifications, submissions of State party reports, submissions of individual complaints and initiations of inquiries, as well as of the increase in the deliberation time needed when there is an expansion in the membership of a treaty body. If they are not accorded adequate

meeting time, the treaty bodies will be unable to ensure the timely consideration of State party reports and communications received under the complaint procedures, which would have serious consequences for the effectiveness and credibility of the human rights treaty monitoring system. The backlogs faced by some treaty bodies have been so extensive as to delay the consideration of a State party report until three years after its submission, by which time the information is so outdated that supplementary information amounting to the equivalent of a new report has to be requested.

38. Adequate meeting time is thus necessary to allow the treaty bodies to carry out their mandate in an effective and timely manner. However, the treaty bodies will be able to make effective use of the additional meeting time only if it is accompanied by adequate secretariat support. When a backlog of pending reports is being addressed, additional meetings will be effective only if sufficient staff members are available to conduct background research, organize meetings, facilitate the participation of the relevant national and international actors and assist the Committee with the multitude of other tasks associated with its sessions. For example, the authorization of additional meeting time for a Committee to consider 20 more State party reports in one year would require approximately 600 additional Committee secretariat working days, which would translate to almost one year of service on the part of three additional staff members.[10] Experience has also shown that, if effective use is to be made of any additional meeting time approved, the United Nations conference services, especially those processing documentation, will need to be adequately resourced in order to process the additional documents needed for the expanded treaty body sessions. Prior to the recent increase in treaty body activities, certain documents, such as submissions from States parties in response to requests for additional information, which are critical to an informative dialogue between the treaty bodies and States parties, were processed on an "as available" basis. Such documents are no longer being processed, owing to the lack of available capacity.

39. With limited resources focused on addressing backlogs and the rate of increase in pending cases and State party reports, the treaty bodies have little or no time left to dedicate to other important aspects of their work. For example, a lack of meeting time has prevented some Committees from discussing in depth possible improvements to their methods of work or questions of harmonization of approach across all the treaty bodies on a range of issues, such as their procedures for dealing with long-overdue reports or the follow-up to concluding observations. The lack of meeting time also hampers the ability of Committees to examine substantive issues, such as general comments, through which they provide guidance as to the nature and scope of specific treaty provisions or the application of the treaties to specific groups, issues and situations. Lack of meeting time also affects the ability of the treaty bodies to engage with partners, who often request time for interaction with the treaty bodies.

40. In addition to requesting extra meeting time, the treaty bodies are taking various measures to ensure that the best possible use is made of the meeting time available to them. In particular, all treaty bodies are engaged in efforts to improve and harmonize working methods, including through annual inter-Committee

[10] Based on a rough estimate of 30 working days required for preparations by the secretariat for a dialogue with each State party, which is the average across the treaty bodies.

meetings and meetings of the Chairs. Most Committees already make full use of lunch hours by scheduling various meetings and briefings, and some work on weekends owing to the insufficient amount of official meeting time. Several Committees have decided to streamline and better focus the reporting process relating to the key issues by adopting lists of issues prior to reporting. In addition, over the past 10 years, most treaty bodies have formally adopted rules permitting the submission of multiple reports in a single document.

41. During sessions of the Human Rights Council and the General Assembly in 2009, the High Commissioner for Human Rights called upon States parties, members of the treaty bodies, and other stakeholders to initiate a process of reflection on how to further streamline and strengthen the treaty body system. In the context of meeting time management, stakeholders could reflect on innovative ways for the treaty bodies to make optimal use of official meeting time in the performance of their functions without compromising the quality of their work.

42. The treaty monitoring system is currently able to function, but it is suffering as a result of its own success. With the exception of the optional protocols and the newer treaties, most of the human rights treaties establishing a monitoring body have achieved near-universal ratification. The High Commissioner for Human Rights is committed to promoting universal ratification and full compliance with the treaties, both in form and in substance. However, as the treaty system becomes better known and compliance by States parties with their reporting obligations improves, the time and resource constraints facing the treaty system can be expected to continue to increase.

43. Recent years have seen significantly improved compliance by States parties with their reporting obligations. The reasons may include the continuous efforts of the growing number of OHCHR field presences encouraging treaty reporting, the enhanced responsiveness of States parties with long-overdue reports to the review procedures adopted by most treaty bodies, and greater awareness in general of the treaty system than was the case years ago. The most direct reason, however, may be the attention accorded to the reporting record of all States under the universal periodic review procedure of the Human Rights Council. Since the procedure was launched, OHCHR has recorded an increase in the rate of the submission of reports, and although the extent to which this is directly attributable to the universal periodic review procedure has not been measured with precision, the trend is expected to continue.

44. Notwithstanding such improved compliance, the present system is able to function only because there remains a significant level of non-compliance. If all State party reports were submitted on time, most treaty bodies would need to at least double their current meeting time for the examination of reports in order to keep pace, and some would need to triple it.

45. A long-term solution must be found based on a comprehensive study of the resource requirements of the treaty bodies, especially with regard to meeting time, staffing levels, conference facilities and documentation.

Annex

Annual workload and meeting time of the treaty bodies (2010 figures)

Treaty body	*States parties*	*Number of members*	*Number of sessions per year*	*Number of weeks of meeting time per year (session/ working group)*	*Number of reports examined on average per year*	*Number of reports to be considered annually if all States parties reported on time*	*Number of reports pending consideration (as at 5 August 2010)*	*Petitions procedure*	*List of issues*	*Additional meeting time requested*	*Additional meeting time authorized*
Committee on Economic, Social and Cultural Rights	160	18	2	6/2	10	32	35	Yes (when the number of ratifications of the Optional Protocol reaches 10)	Yes	E/2010/22-E/C.12/2009/3, para. 4: 3 weeks/year (sessions) and 1 week/year (pre-sessional working group meetings) in 2011 and 2012	
Human Rights Committee	166	18	3	9/3	15	33	24	Yes	Yes		
Committee on the Rights of the Child	193	18	3	9/3	27	39 (not including the reports due under the Optional Protocols)	82	No (under development)	Yes	A/63/160, annex: 6 weeks/year (sessions), from January 2010 to January 2011; 3 weeks/year (pre-sessional working group meetings), from October 2010 to January 2011, to allow the Committee to meet in parallel chambers	General Assembly resolution 63/244: 4 weeks/year (parallel-chamber sessions); 2 weeks/year pre-sessional working group meetings), October 2009 to October 2010
Committee on the Elimination of Racial Discrimination	173	18	2	8/0	24	87	21	Yes	No	A/63/18, para. 558: 2 weeks/year (one additional week per session) from 2010	General Assembly resolution 63/243: 2 weeks/year (one additional week per session) from August 2009 to 2011

Treaty body	*States parties*	*Number of members*	*Number of sessions per year*	*Number of weeks of meeting time per year (session/ working group)*	*Number of reports examined on average per year*	*Number of reports to be considered annually if all States parties reported on time*	*Number of reports pending consideration (as at 5 August 2010)*	*Petitions procedure*	*List of issues*	*Additional meeting time requested*	*Additional meeting time authorized*
Committee against Torture	147	10	2	6/0	14	37	23	Yes	Yes (plus list of issues prior to reporting)	A/65/44: 3 weeks/ year (1 additional session per year) 2011 to 2012	
Committee on the Elimination of Discrimination against Women	186	23	3	9/5 (Working Group on Communications, 2 weeks per year; Working Group on Reporting, 3 weeks per year)	24	47	34	Yes	Yes		General Assembly resolution 62/218: 3-week session (3 weeks/year) from January 2010; 3 sessions of Working Group on Communications/ year from January 2010 (currently 10 days/year)
Committee on the Rights of Migrant Workers	43	14	2	3/0	4	11	7	Yes	Yes		
Committee on the Rights of Persons with Disabilities	89	12 (increasing to 18 after the next election, in 2010)	2	2/0	The Committee will examine its first report in October 2010	22	3	Yes	Yes		
Subcommittee on the Prevention of Torture	54	10 (increasing to 25 after the next election, in 2010)	3	3/0	—	—		No (undertakes in situ visits)	—		
Total	**1 211**	**141 (162 in 2011)**	**22**	**55/13**	**112**	**308**	**225**				